

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CRIMINAL CASE NO. 1:11cr10**

**UNITED STATES OF AMERICA,**

**vs.**

**JAMES W. "BILL" BAILEY, JR.**

---

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**ORDER**

**THIS MATTER** is before the Court on the "Claim for Removal of 13 Old Candler Town Road Candler, NC from the Consent Order and Judgment of Forfeiture," filed by Julia Kathleen Harold on March 14, 2011. [Doc. 40].

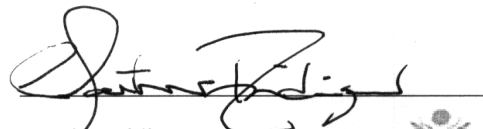
A petition filed by a third party claiming interest in property which has been ordered forfeited to the United States must "be signed by the petitioner under penalty of perjury." 21 U.S.C. § 853(n)(3). "A claimant who fails to file a verified statement has no standing to contest a forfeiture." United States v. Loria, No. 3:08cr233-2, 2009 WL 3103771, at \*2 (W.D.N.C. Sep. 21, 2009) (quoting United States v. \$487,825,000 in U.S. Currency, 484 F.3d 662, 664-65 (3d Cir. 2007)). The Claim filed in the instant case is not verified by the alleged claimant. Unless the required

verification is filed within fourteen days of the entry of this Order, the claimant's petition shall be dismissed.

Accordingly, **IT IS, THEREFORE, ORDERED** that Julia Kathleen Harold shall file a verification of her petition within fourteen (14) days of the entry of this Order. **The claimant is advised that failure to file the required verification will result in the dismissal of her petition.**

**IT IS SO ORDERED.**

Signed: April 1, 2011

  
Martin Reidinger  
United States District Judge

